

Order

Michigan Supreme Court
Lansing, Michigan

January 29, 2007

Clifford W. Taylor,
Chief Justice

130100(73)(74)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PHILIP ROBERTSON and
SHARON ROBERTSON,
Plaintiffs-Appellees,

v

SC: 130100
COA: 254052
St. Clair CC: 01-001223-NO

BLUE WATER OIL COMPANY,
Defendant-Appellant.

On order of the Court, the motion for reconsideration of this Court's October 27, 2006 order is considered, and it is DENIED, because it does not appear that the order was entered erroneously. The motion for stay is DENIED as moot.

WEAVER, J., would grant reconsideration and, on reconsideration, would grant leave to appeal and ask the parties to brief the issue whether *Mann v Shusteric Enterprises Inc*, 470 Mich 320 (2004), was correctly decided.

MARKMAN, J., would grant reconsideration and, on reconsideration, would grant defendant's application for leave to appeal for the reasons set forth in *Robertson v Blue Water Oil Co*, 477 Mich 897 (2006).



d0122

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 29, 2007

Corbin R. Davis

Clerk